

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

IN RE APPLICATION PURSUANT TO  
28 U.S.C. § 1782 FOR DISCOVERY  
IN AID OF FOREIGN PROCEEDINGS

Misc. Action No. 20-mc-367 (SHS)  
ORDER GRANTING *EX PARTE*  
APPLICATION PURSUANT TO  
28 U.S.C. § 1782

THIS CAUSE came before the Court upon the *Ex Parte* Application Pursuant to [28 U.S.C. § 1782](#) ("Application") filed by Applicant Republic of Kazakhstan ("Kazakhstan") seeking leave to serve subpoenas *duces tecum* ("**Subpoenas**") on (a) The Bank of New York Mellon Corporation; (b) JPMorgan Chase Bank, N.A.; (c) Deutsche Bank Trust Co. Americas; (d) Bank of China; (e) Barclays Bank PLC; (t) BNP Paribas USA; (g) Citibank N.A.; (h) The Clearing House Payments Company LLC (CHIPS); (i) Commerzbank AG; (j) HSBC Bank USA, N.A.; (k) Societe Generale S.A.; (l) Standard Chartered Bank USA; (m) UBS AG; (n) Wells Fargo Bank, N.A.; and (o) Bank of America, N.A. (collectively "**Clearing Banks**") for discovery to be used in foreign legal proceedings.

The Court having considered the Application and having held an *ex parte* teleconference on December 3, 2020, and otherwise being fully advised of the facts and issues:

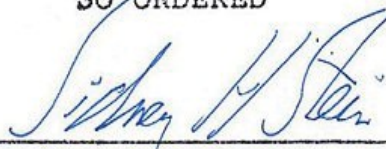
**IT IS HEREBY ORDERED** that:

1. The Application is **GRANTED**.
2. Applicant Kazakhstan is authorized to issue and serve the Subpoenas on the Clearing Banks in the form proposed and attached to the Application, with the

following modifications: (1) The first paragraph in the section titled "Instructions" shall read: "The scope of the Requests is limited to dollar-denominated clearing transactions processed by [BANK RECIPIENT] in New York." (2) The first paragraph in the section titled "Documents to Be Produced" shall read: "You are hereby requested to produce all of the documents and materials set forth below that concern dollar-denominated clearing transactions processed by [BANK RECIPIENT] in New York pursuant to the instructions listed above no later than [DATE]."

3. Each Clearing Bank shall produce the documents requested in the Subpoena within twenty-one (21) days of service of the Subpoena and a copy of this Order on the Clearing Bank and in conformity with the Federal Rules of Civil Procedure and the Local Rules of the United States District Court for the Southern District of New York.

Dated: New York, New York  
December 7, 2020

SO ORDERED  
  
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SIDNEY H. STEIN  
U.S.D.J.